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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,785	01/02/2001	Takashi Nishigaya	121.1010/HEW	7478

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EXAMINER

KANG, PAUL H

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 10/01/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/750,785

Applicant(s)

NISHIGAYA ET AL.

Examiner

Paul H Kang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors, rendering the scope of the claims indefinite.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Codd et al., US

Pat. No. 6,421,667 B1.

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3. As to claims 1, 8 and 10, Codd teaches an apparatus and method for dynamically determining a flow by means of an action chain in event processing performed in a distributed system, the apparatus comprising:

an action/attribute storage unit for storing information of actions to be executed upon receipt of an event object, separated from a server object (col. 9, lines 40-65); and

flow control unit selecting actions to be ignited from the actions stored in the action/attribute storage unit in accordance with a type the received event object, whereby an action chain realized by the flow control unit (col. 3, line 59 – col. 4, line 32 and col. 15, line 16 – col. 16, line 65).

4. As to claims 2 and 11, Codd teaches an apparatus wherein the action/attribute storage unit stores a definitions of actions which are executed upon reception of an event object, separated from a definition of an input pattern which serves as a condition under which the action is selected, whereby behavior for an event is changed through modification of the definition of the input pattern without necessity of changing the definition or configuration of the action (col. 3, line 59 – col. 4, line 32 and col. 15, line 16 – col. 16, line 65).

5. As to claims 3 and 12, Codd teaches the apparatus wherein when an action which has been executed upon receipt of an event returns an event object as the execution result, the flow control unit checks the type of the newly received event object, and repeats selection and execution of actions to be ignited next to thereby determine a dynamic flow (col. 3, line 59 – col.

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4, line 32 and col. 15, line 16 – col. 16, line 65).

6. As to claims 4 and 13, Codd teaches the apparatus wherein not only the type of an event object, but also the value of the event object or the attribute values of the event object, is included in the definition of the input pattern stored in the action/attribute storage unit, whereby ignition of each action is controlled on the basis of the definition of the input pattern (col. 14, lines 4-29 and col. 15, line 16 – col. 16, line 65).

7. As to claims 5 and 14, Codd teaches the apparatus wherein the name of an action which is expected to be executed immediately before is included in the definition of the input pattern stored in the action/attribute storage unit; and the flow control unit checks the definition of the input pattern in time of selection of actions to thereby control the order of actions to be executed (col. 14, lines 4-29 and col. 15, line 16 – col. 16, line 28).

8. As to claims 6 and 15, Codd teaches the apparatus wherein the flow control unit stores a list of actions already executed, when the flow control unit selects actions, and excludes an action or actions which have been executed from actions to be ignited to thereby prevent the flow from forming an endless loop (col. 17, lines 8-47).

9. As to claims 7, 9 and 16, Codd teaches an apparatus and computer readable medium for dynamically determining a flow by means of an action chain in event processing performed in a distributed system, the apparatus comprising:

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an action/attribute storage unit for storing definition information regarding each of actions (col. 9, lines 40-65);

a message reception unit for receiving a message (col. 3, line 59 – col. 4, line 32);

a message transmission unit for transmitting a message (col. 3, line 59 – col. 4, line 32);

an action management unit for changing definition information regarding an action when the received message is a request for changing the definition information regarding the action (col. 3, line 59 – col. 4, line 32 and col. 10, lines 7-61),

a pattern match processing unit for comparing the contents of a parameter of a message which is received as an action execution request with the information stored in the action/attribute storage unit in order to select matched actions (col. 15, line 16 – col. 16, line 28);

an action execution unit for managing execution of the selected action (col. 15, line 16 – col. 16, line 28); and

a flow control unit which is started by the action execution unit upon receipt of an event object in order to select actions to be executed next in accordance with a type of the received event object and to execute the selected action (col. 15, line 16 – col. 16, line 28).

10. As to claim 17, Codd teaches a dynamic flow determination apparatus which processes events cooperatively with another apparatus in a distributed system, wherein each apparatus keeps actions and attributes defined separately from another apparatus (col. 3, line 59 – col. 4, line 32 and col. 8, line 16 – col. 16, line 28);

the dynamic flow of actions is determined through selection of actions corresponding to an input event (col. 8, line 16 – col. 16, line 28).

11. As to claim 18, Codd teaches the apparatus wherein different input patterns are defined for an event, and each of the different input patterns correspond to each of the different action of the event, thus the dynamic flow of actions for an event is determined (col. 14, lines 4-29 and col. 15, line 16 – col. 16, line 28).

12. As to claim 19, Codd teaches the apparatus wherein when an executed result of an action is returned, further another action is determined through the input pattern of an event followed to the result of the action (col. 15, line 16 – col. 16, line 28).

13. As to claim 20, Codd teaches the apparatus wherein attribute value of the action is defined for an event, so that the chain in dynamic flow of the action is controlled through the definition (col. 14, lines 4-29 and col. 15, line 16 – col. 16, line 28).

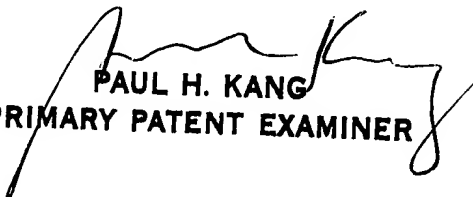
14. As to claim 21, Codd teaches the apparatus wherein name of an action which is expected to be executed before the action is listed, so that the dynamic flow of action is determined through referencing the action name in time of selection of the action (col. 15, line 16 – col. 16, line 28).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H Kang whose telephone number is (703) 308-6123. After October 26, 2004, all calls should be placed to (571) 272-3882. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


PAUL H. KANG
PRIMARY PATENT EXAMINER